

Message Text

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ACTION OES-07

INFO OCT-01 AF-10 ARA-10 EUR-12 EA-10 ISO-00 NEA-10
DLOS-09 /069 W
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R 23031Z JAN 78
FM AMEMBASSY CANBERRA
TO SECSTATE WASHDC 2222
INFO AMEMBASSY BRUSSELS
AMEMBASSY BUENOS AIRES
AMEMBASSY LONDON
AMEMBASSY MOSCOW
AMEMBASSY OSLO
AMEMBASSY PARIS
AMEMBASSY PRETORIA
AMEMBASSY SANTIAGO
AMEMBASSY TOKYO
AMEMBASSY WARSAW
AMEMBASSY WELLINGTON

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E.O. 11652: N/A
TAGS: EFIS, SENV, PROG, XV, AS, US
SUBJECT: THIRD PREPARATORY MEETING FOR ANTARCTIC TREATY SPECIAL
CONSULTATIVE MEETING - MARINE LIVING RESOURCES

REF: (A) BUENOS AIRES 0227 (NOTAL), (B) 77 STATE 307764
(NOTAL), (C) 77 CANBERRA 8826

1. THIRD PREPARATORY MEETING FOR ANTARCTIC TREATY SPECIAL
CONSULTATIVE MEETING ON MARINE LIVING RESOURCES TOOK PLACE
AT THE DEPARTMENT OF FOREIGN AFFAIRS ON FRIDAY, JANUARY 20,
CHAIRIED BY M. MCKEOWN, ASSISTANT SECRETARY, INTERNATIONAL
LEGAL BRANCH.

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2. MCKEOWN ANNOUNCED THAT GOA HAD DONE SOME
RETHINKING ON SUBJECT OF AGENDA AND WISHED TO PROPOSE A
SOMEWHAT CONSOLIDATED AGENDA WHICH, MCKEOWN SAID, WAS
MORE IN LINE WITH THE THINKING IN RESOLUTION IX-2. GOA
PROPOSAL FOLLOWS:

"1. OPENING OF MEETING

"2. ELECTION OF OFFICERS

"3. OPENING STATEMENTS

"4. ADOPTION OF AGENDA

"5. ELABORATION OF A DRAFT DEFINITIVE REGIME FOR THE
CONSERVATION OF ANTARCTIC MARINE LIVING RESOURCES
INCLUDING THE DETERMINATION OF THE FORM OF THE DEFINITIVE
DRAFT REGIME AND WHETHER AN INTERNATIONAL INSTRUMENT
SUCH AS A CONVENTION IS NECESSARY.

"6. CONSIDERATION OF ARRANGEMENTS FOR A SUBSEQUENT
DECISIVE MEETING FOR THE ESTABLISHMENT OF THE
DEFINITIVE REGIME:

(A) TO PREPARE, IF NECESSARY, DRAFT RULES OF PROCEDURE
FOR THE DECISIVE MEETING;
(B) DECIDE ON PARTCIPATION IN THIS MEETING BY STATES
OTHER THAN CONSULTATIVE PARTIES WHICH ARE ACTIVELY
ENGAGED IN RESERACH AND EXPLOITATION OF ANTARCTIC
MARINE LIVING RESOURCES AND THE PARTICIPATION ON AN
OBSERVER BASIS OF APPROPRIATE INTERNATIONAL ORGANIZATIONS;
(C) FINALIZE DATE AND VENUE FOR THE DECISIVE MEETING; AND
(D) CONSIDERATION OF ANY OTHER STEPS NECESSARY TO
FACILITATE THE WORK OF THE DECISIVE MEETING.

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"7. ADOPTION OF FINAL REPORT

"8. CLOSING OF MEETING"

3. MCKEOWN EXPLAINED THAT IN THE NEW GOA AGENDA
PARA 5 WAS A MELDING OF PARAS 6 AND 5 OF THE ORIGINAL
AUSTRALIAN DRAFT, WITH THE MATTER OF ELABORATING THE
DRAFT DEFINITIVE REGIME BEING PLACED BEFORE THE
DETERMINATION OF THE FORM OF SUCH A REGIME.

4. SOVIET REP (IGOR A. SAPRYKIN, COUNSELLOR) THEN
TABLED PROPOSED AGENDA WHICH VIRTUALLY A WORD FOR
WORD DUPLICATE OF U.S. PROPOSAL CONTAINED IN PARA 2
OF REFTEL B WHICH HAD ALREADY BEEN PASSED PRIVATELY
TO GOA. ONLY DDIFFERENCE WAS IN PARAS 4 AND 5 WHERE
SOVIET VERSION USED WORDS "BASED ON" RATHER THAN
"BUILDING ON" IN U.S. VERSION. SAPRYKIN SAID THAT
MOSCOW WANTED A VERY SIMPLE AGENDA WHICH WOULD NOT
DETRACT FROM THE MAIN JOB FACING THE SCM, I.E.,
NEGOTIATING A CONVENTION. HE SAID THAT PARA 6 OF
NEWEST GOA PROPOSAL WAS FAR MORE DETAILED THAN NEED BE

AS CONTENTS ALREADY WELL SPELLED OUT IN RECOMMENDATION
IX-2, TO WHICH A SIMPLE REFERENCE SHOULD SUFFICE.

5. EMBOFF THEN ANNOUNCED THAT WE HAD SUBMITTED
PREVIOUSLY TO GOA A SIMPLIFIED AGENDA THAT VIRTUALLY
SAME AS USSR PROPOSAL. WE EXPLAINED THAT OUR
REASONS FOR DOING SO WERE MUCH THE SAME AS THOSE
ALREADY SET FORTH BY USSR.

6. MCKEOWN ASKED US AND SOVIET REPS WHETHER FAILURE TO
PROVIDE FOR OPENING STATEMENTS SIGNIFIED OPPOSITION
TO SUCH STATEMENTS, OR INTENTION THAT THEY BE

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SUBSUMED UNDER RUBRIC "OPENING OF MEETING". SOVIET
REP SAID THAT HE COULD ONLY ASSUME THAT MOSCOW OPPOSED
TO OPENING STATEMENT, BUT THAT HE WOULD INQUIRE. EMBOFF
STATED THAT WHILE HE WOULD ALSO INQUIRE, HE RATHER
THOUGHT THAT IT U.S. VIEW THAT OPENING STATEMENTS
COULD BE MADE SHORTER IF THEY MADE IN CONTEXT OF
"OPENING OF MEETING".

7. MCKEOWN ASKED GROUP TO SEEK INSTRUCTIONS FROM CAPITALS BEFORE NEXT MEETING AS TO THEIR PREFERENCE BETWEEN NEW GOA DRAFT AND WHAT HE NOW REFERRED TO AS USSR/US DRAFT. IN EVENT CAPITALS FAVORED USSR/US DRAFT, HE ASKED THAT THEY FOCUS ON QUESTION OF WHETHER THERE NEED FOR SEPARATE AGENDA ITEM TO COVER OPENING STATEMENTS, LIMITED OFFICIAL USE

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OR WHETHER THESE COULD BE SUBSUMED UNDER "OPENING OF MEETING".

8. NEXT MEETING SCHEDULED FOR THURSDAY, 9 FEBRUARY, WITH PROVISIONAL MEETING ALSO SCHEDULED FOR FRIDAY, 17 FEBRUARY.

9. MCKEOWN ANNOUNCED THAT AT MOMENT IT APPEARED THAT GOA DRAFT CONVENTION SUBMITTED AT 9TH SCM WOULD REMAIN SUBSTANTIALLY AS TABLED. SOUTH AFRICA SAID THAT IT ALSO WISHED TO LEAVE ITS DRAFT (WORKING PAPER) TABLED WITH SCM. SOVIET REP SAID HE MUST SEEK INSTRUCTIONS FROM MOSCOW AS TO DISPOSITION OF SOVIET DRAFT.

10. COMMENT: SOMEWHAT SURPRISINGLY NEITHER ARGENTINA NOR CHILE MADE ANY COMMENT ON EITHER GOA OR USSR/US DRAFT AGENDAS. IN VIEW OF PARA 1 H OF REFTEL A, MCKWOEN FULLY EXPECTED ARGENTINIANS TO OBJECT TO ITEM 6 IN ITS DRAFT AND TO ITEM 5 IN USSR/US DRAFT. MCKEOWN HAS TOLD US THAT HE EXPECTS THE "OTHER SHOE TO DROP" AT THE FEBRUARY 9 MEETING WITH RESPECT TO BOTH THE ARGENTINEANS AND THE CHILEANS.

11. ACTION REQUESTED: DEPARTMENT IS REQUESTED PROVIDE US WITH ITS THINKING ON MATTER OF OPENING STATEMENTS. IF IT APPEARS TO BE GENERAL CONSENSUS OF FEBRUARY 9 MEETING, MAY WE GO ALONG WITH AUSTRALIAN DRAFT AS IS, OR WITH STREAMLINED ITEM 6? ALSTON

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